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May 24, 2004

Chairman Deborah Taylor Tate  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

DOCKET NO.  
04-00159

Dear Chairman Tate:

The Tennessee Department of Transportation respectfully submits to the Tennessee Regulatory Authority the attached petition for allocation of an N11 Number (511) for the purpose of providing travel and road conditions information to the citizens in the State of Tennessee. The enclosed petition addresses the Tennessee Regulatory Authority's requirements for N11 allocation.

Thank you for your assistance in this matter. Please contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Carroll".

Brian Carroll  
Attorney  
Tennessee Department of Transportation

attachment

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:** )  
 )  
**PETITION OF THE TENNESSEE** )  
**DEPARTMENT OF** )  
**TRANSPORTATION FOR** )  
**ALLOCATION OF AN N11 NUMBER** )  
**(ABBREVIATED DIALING CODE)** )

**TRA Docket No.** \_\_\_\_\_

**PETITION FOR ALLOCATION OF AN N11 NUMBER**

The Tennessee Department of Transportation (TDOT) respectfully submits this Petition for Allocation of an N11 Number (511) for the purpose of providing travel and road conditions information to citizens in the state of Tennessee.

**INTRODUCTION**

1. The Petitioner is a State Agency whose mission is to plan, implement, maintain and manage an integrated transportation system for the movement of people and products, with emphasis on quality, safety, efficiency and the environment.
2. Petitioner is responsible for planning, implementing, operating and maintaining roads within the state highway system. In addition to roads and highways, Petitioner also is responsible for aviation, public transportation, waterways and railroads. Funding for these functions comes from State and Federal sources.
3. Petitioner is committed to providing accurate and timely information to the traveling public.

**NUMBERING RESOURCE FOR WHICH ALLOCATION IS SOUGHT**

4. Petitioner seeks allocation of the 511 abbreviated dialing code for a statewide phone-based travel information system. Subject to funding and the implementation schedule, TDOT intends coverage to be statewide to include all counties within the state of Tennessee (the "Proposed Coverage Area") with services available in 2005.

**STANDARD FOR GRANT OF PETITION**

5. In its July 31, 2000 *Third Report and Order and Order on Reconsideration*<sup>1</sup> in CC Docket No 92-105 ("FCC Order"), the Federal Communications Commission ("FCC") assigned 511 as a national abbreviated dialing code to be used by state and local governments exclusively

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<sup>1</sup> *In the Matter of The Use of N11 and Other Abbreviated Dialing Arrangements*, CC Docket No 92-105, (July 31, 2000) (Third Report and Order and Order on Reconsideration) at Para 51

for access to travel information services. The assignment of this abbreviated dialing code is anticipated to stimulate the deployment and use of travel-related information by making access to such information more readily accessible. The FCC also indicated that assigning 511 to travel information services can be expected to maximize the benefits of such information, which include decreasing traffic congestion, reducing air pollution and inefficient use of fossil fuels, improving the nation's productivity on and off the roadways, and improving traveler safety

6 Pursuant to the October 20, 1993 Order<sup>2</sup> (the "TRA Order"), issued by the Tennessee Public Service Commission, the following factors and criteria are used to select the most qualified applicant for an allocation of N11 number resources: (i) overall financial fitness, both historical and future; (ii) overall ability (technical ability and otherwise) and willingness to provide service on a permanent and continuous basis; (iii) ability and willingness to abide by Tennessee Regulatory Authority ("TRA") rules and policies; (iv) rates, services and collection practices to be utilized by petitioner in the provision of N11 service; (v) extent and duration of petitioner's service to the local community included in the N11 allocation; (vi) anticipated future uses by the community of the proposed service to be offered by the petitioner and the petitioner's overall experience providing information to the community to be served; and (vii) the type of information services to be provided by petitioner through an abbreviated dialing code, and its relative value to the public and local community.<sup>3</sup>

### **REASONS SUPPORTING ALLOCATION OF N11**

7. Petitioner seeks to utilize the 511 abbreviated dialing code for provision of travel information services, pursuant to the TRA Order and FCC Order.

8. Petitioner satisfies the criteria set forth in the TRA Order:

#### **Criteria for Reviewing Petitions for Allocation of N11 Numbers**

(a) Overall financial fitness of the applicant, both historical and future. TDOT operates on an annual budget of more than \$1.5 billion. Approximately 71% of the budget is dedicated to construction and implementation of transportation infrastructure and programs. About 20% of the budget is allocated to maintenance of the transportation infrastructure and programs. The federal and state governments provide the majority of TDOT's funding – 49% and 48%, respectively – while local governments contribute the remaining 3%. Funding for TDOT comes almost exclusively from "user fees" collected by local, state and federal governments. These user fees include vehicle registration fees, gasoline and diesel fuel taxes, and airline ticket taxes. Given the current population and transportation growth trends in Tennessee and around the country, it is reasonable to expect that the funding resulting from these "user fees" will exist in the future.

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<sup>2</sup> TPSC Docket No 92-13892

<sup>3</sup> See July 14, 2000 TRA Order, Docket No 99-00743, and June 5, 2003 TRA Petition for Allocation, Docket No 03-00383, for examples of the application of the aforementioned factors and criteria in reallocating the 211 abbreviated access code

(b) Overall ability (technical ability and otherwise) and willingness of the applicant to provide the service on a permanent and continuous basis. If allocated the 511 abbreviated dialing code, Petitioner will provide travel information for Tennessee through 511 on a permanent and continuous basis, as long as the FCC does not reassign the 511 abbreviated dialing code in the future for some purpose other than travel information services. To that end, Petitioner intends to operate and maintain a 24-hour, 7-day per week, 365-day per year automated travel information phone service statewide. TDOT currently operates and maintains an automated travel information phone service statewide using the ten-digit number 1-800-858-6349. The existing phone service provides recorded information about construction, closures, and weather and travel advisories on highways in Tennessee and receives more than 71,000 calls per year. The proposed 511 abbreviated dialing code would replace the existing 1-800-858-6349 as the number for travelers to call to receive travel information.

(c) The ability and willingness to comply with any applicable Authority rules and policies. The Petitioner will comply with all present and future rules put forth by the FCC and TRA, including without limitation those applicable to abbreviated access dialing services.

(d) The rates, services and collection practices to be utilized by the service provider in providing N11 service. As a State agency, the petitioner is a not-for-profit entity, and desires to provide travel information through an abbreviated dialing code as a public service for residents and travelers in Tennessee. While the FCC Order does not specify parameters for cost recovery, Version 2.0 of the *Implementation and Operational Guidelines for 511 Services*, published by the 511 Deployment Coalition, recommends that calls made to 511 travel information services are to be no more than the cost of a local call for callers, other than any applicable mobile phone air-time/minutes or roaming charges for those callers who access 511 via mobile phones. In accordance with the aforementioned guidelines, Petitioner proposes to pay the charges incurred in connection with the assignment and utilization of the 511 access code (other than mobile phone connection and time charges), and the costs of ongoing operation of the 511 service in Tennessee.

(e) The extent and duration of the applicant's service to the local community. Since the construction of Walton Road (now US-70) in 1801, the State of Tennessee has been allocating funds for the construction and maintenance of transportation infrastructure and programs in Tennessee. The Department of Highways & Public Works – the precursor to TDOT – was formed in 1923 to be responsible for the transportation infrastructure needs in Tennessee. Today, the mission of TDOT is to plan, implement, maintain and manage an integrated transportation system for the movement of people and products, with emphasis on quality, safety, efficiency and the environment. As part of that mission, Petitioner is responsible for planning, implementing, operating and maintaining roads within the state highway system, which includes over 1,000 miles of interstate and 13,000 miles of state road, as well as more than 8,000 bridges. Petitioner is also responsible for aviation, public transportation, waterways and railroads within Tennessee. Since 1993, TDOT has operated and maintained an automated travel information phone service

statewide using the ten-digit number 1-800-858-6349. The purpose of the existing phone service is to provide information to travelers about construction, closures, and weather and travel advisories on highways in Tennessee so that travelers can more efficiently utilize the existing transportation infrastructure. Utilizing 511 for a travel information service in Tennessee aligns with the mission of TDOT.

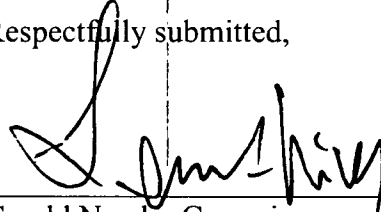
(f) Anticipated future uses by the community of the proposed service and the Petitioner's overall experience in providing information to this community. The proposed 511 travel information service is anticipated to be used by travelers on the State's highways or the public transportation system. It is envisioned that the service will ultimately provide travel information services for travelers utilizing all modes of transportation. The initial 511 travel information service will primarily use data collected by TDOT, which to date consists mostly of construction- and weather-related road restrictions or closures on State highways. TDOT has recently created an Intelligent Transportation System (ITS), known as TDOT SmartWay, which provides real-time information about urban freeway conditions, including congestion, incidents and closures, through the use of roadway traffic sensors, closed circuit television cameras, and dynamic message signs. TDOT SmartWay was first implemented in Nashville and plans are underway to expand TDOT SmartWay to encompass Knoxville, Chattanooga, and Memphis in the near future. It is anticipated that the 511 phone service will ultimately include much of the travel information collected by TDOT SmartWay. Partnerships with other public agencies as part of future enhancements to the proposed 511 travel information service could provide additional data and content, such as public transportation, tourism, and information on other modes of transportation. It is envisioned that the 511 service will be enhanced as resources, funding, and partnering opportunities are made available. Petitioner anticipates that more than 300,000 calls will be received by the 511 phone service in its first twelve months of operation.

(g) The type of information services to be provided by the applicant over N11 and its relative value to the public and local community. Through the 511 phone service, Petitioner would initially provide the traveling public with travel information about road conditions, closures, construction activities, hazardous weather, and other important information that could impact travel. Ultimately, it is expected that callers will also be able to access information about incidents, tourism, and public transportation. Providing travelers with travel information is expected to allow them to make more informed decisions about how to most effectively utilize the existing transportation infrastructure. The assignment of the 511 abbreviated dialing code is anticipated to stimulate the deployment and use of travel-related information by making access to such information more readily accessible. As indicated in the FCC Order, assigning 511 to travel information services can be expected to maximize the benefits of such information, which include decreasing traffic congestion, reducing air pollution and inefficient use of fossil fuels, improving the nation's productivity on and off the roadways, and improving traveler safety.

## CONCLUSION

9 Petitioner respectfully requests that the TRA allocate the 511 abbreviated dialing code for TDOT's travel information phone service throughout the state of Tennessee.

Respectfully submitted,



Gerald Nicely, Commissioner  
Tennessee Department of Transportation  
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James K. Polk Building  
Nashville, Tennessee 37243  
(615) 741-2806

Date: 5/24/04